UNITED STATES DISTRICT COURT

FOR THE SOUTHERN DISTRICT OF NEW YORK

VIACOM INTERNATIONAL INC., Plaintiffs, vs. YOUTUBE, INC., et al. Defendants.	)	No. 07-cv-02103 (LLS)
THE FOOTBALL ASSOCIATION PREMIER LEAGUE LIMITED, et al. Plaintiffs, vs. YOUTUBE, INC., YOUTUBE, LLC, and GOOGLE, INC., Defendants.	)	No. 07-cv-03532 (LLS)

***

HIGHLY CONFIDENTIAL BUSINESS INFORMATION
PURSUANT TO THE PROTECTIVE ORDER

***

DEPOSITION OF DAVID ALEXANDER LAMOND

SAN FRANCISCO, CALIFORNIA

WEDNESDAY, April 15, 2009

JOB NO. 16792

April 15, 2009

8:00 a.m.

VIDEOTAPED DEPOSITION OF DAVID ALEXANDER LAMOND, held at the offices of SHEARMAN & STERLING, 525 Market Street, San Francisco, California, pursuant to notice, before YVONNE FENNELLY, CCRR, CSR License No. 5495.

A P P E A R A N C E S

FOR THE LEAD PLAINTIFF AND PROSPECTIVE CLASS:

PROSKAUER ROSE, LLP
By: GIL N. PELES, Esq.
2049 Century Park East
Suite 3200
Los Angeles, California 90067-3206
(310) 284-5611
(310) 557-2193
gpeles@proskauer.com

FOR THE PLAINTIFF VIACOM INTERNATIONAL, INC.:

SHEARMAN & STERLING, LLP
BY: KIRSTEN NELSON CUNHA, Esq.
599 Lexington Avenue
New York, NY 10022-6069
(212) 848-4000
kirsten.cunha@shearman.com

APPEARANCES (Continued):

FOR THE DEFENDANTS YOUTUBE, INC., YOUTUBE, LLC and GOOGLE, INC.:

WILSON SONSINI GOODRICH & ROSATI
By: MAURA L. REES, Esq.
650 Page Mill Road
Palo Alto, California 94304-1050
(650) 493-9300
mrees@wsgr.com

FOR THE WITNESS:

KEKER & VAN NEST, LLP
BY: ASHOK RAMANI, Esq.
710 Sansome Street
San Francisco, California 94111-1704
(415) 391-5400
aramani@kvn.com

ALSO PRESENT: Stuart Pettigrew, Videographer

--oOo--

LAMOND

SAN FRANCISCO, CALIFORNIA; WEDS, APRIL 15, 2009

8:00 A.M.

07:57 THE VIDEOGRAPHER: Today's videotape deposition of David Lamond is taken on April 15th, 2009, at Shearman & Sterling, at 525 Market Street, Suite 1500, in San Francisco, California in the matter of Viacom International, Incorporated and others vs. YouTube, Incorporated, and others, Case No. 3:08-MC-80129-S1, in the United States District Court, Northern District of California, San Francisco, California.

My name is Stuart Pettigrew. I represent David Feldman Worldwide, located at 600 Anton Boulevard, Suite 1100, at Costa Mesa, California.

We are now commencing at 8:00 a.m.

Will all present please identify themselves beginning with the witness?

MS. CUNHA: That's not the right caption.

MR. RAMANI: Actually, that wasn't our caption.

MS. CUNHA: What I gave you was from a subpoena, but that was all I had.

THE VIDEOGRAPHER: Okay, then off the record, please.

MS. CUNHA: Yes, let's go off the record.

THE VIDEOGRAPHER: The time is 8:00 o'clock. Off the record.

(Discussion off the record.)

THE VIDEOGRAPHER: Today's videotaped deposition of David Lamond is taken on April 15, 2009, at Shearman & Sterling, at 525 Market Street, Suite 1500, San Francisco, California, in the matter of Viacom International, Incorporated, and others versus YouTube, Incorporated, and others. The case is numbered, is 07-cv-02103 (LLS) and 07-cv-03532 (LLS), in the United States District Court, Southern District of New York.

My name is Stuart Pettigrew. I represent David Feldman Worldwide, located at 600 Anton Boulevard, Suite 1100, in Costa Mesa, California. We're now commencing at 8:03 a.m.

Will all present please identify themselves, beginning with the witness?

THE WITNESS: Present, David Lamond.

MS. CUNHA: Kirsten Cunha of Shearman & Sterling on behalf of the Viacom plaintiffs.

LAMOND

MR. PELES: Gil Peles, Proskauer Rose, on behalf of the plaintiffs.

MR. RAMANI: Ashok Ramani, Keker & Van Nest on behalf of the witness.

MS. REES: Maura Rees, Wilson Sonsini, on behalf of defendants.

THE VIDEOGRAPHER: Thank you.

Please swear in the witness.

DAVID LAMOND,

having been first duly sworn, was examined and testified as follows:

EXAMINATION

BY MS. CUNHA:

Q. Good morning, Mr. Lamond.

A. Good morning.

Q. Would you please state your full name for the the record?

A. David Alexander Lamond.

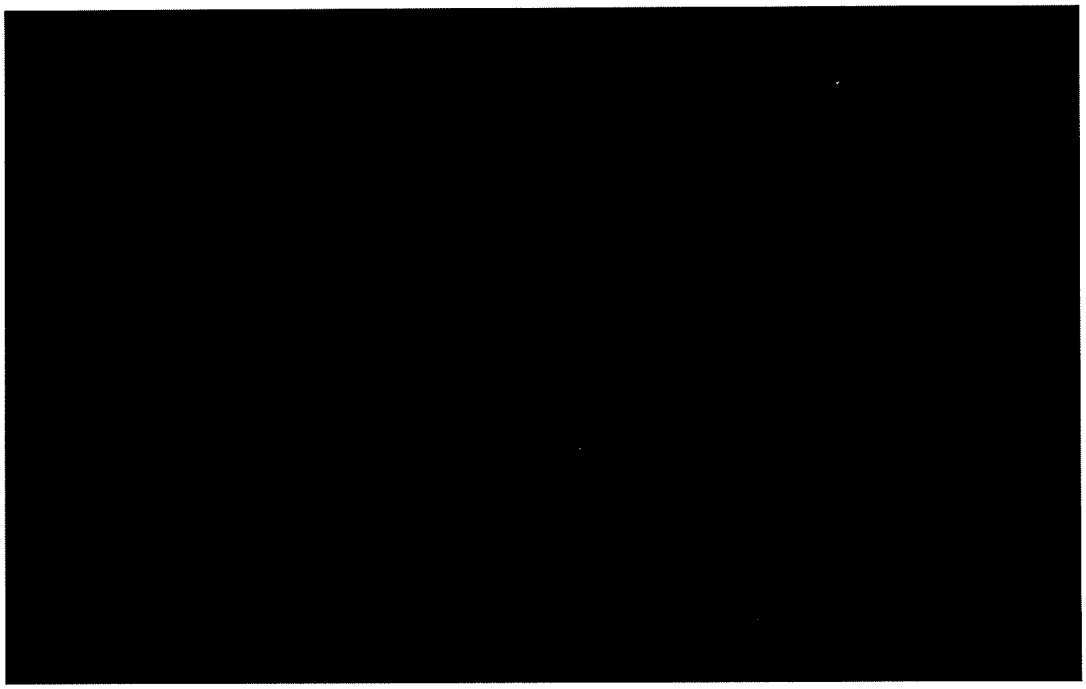
[redacted]

Q. And what is your business address?

A. One Market Plaza, Stuart Street Tower,

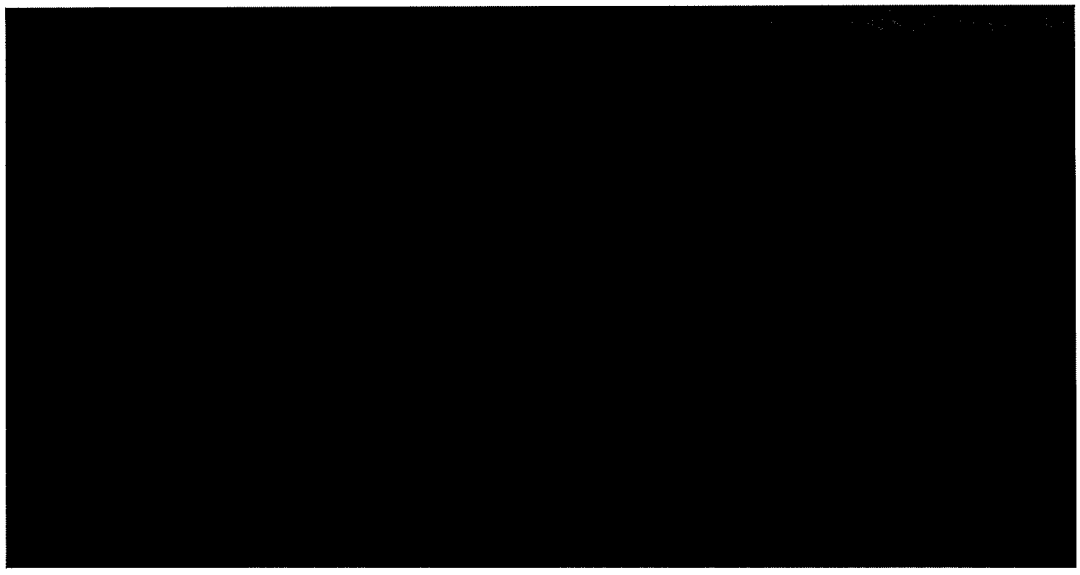
for identification.)

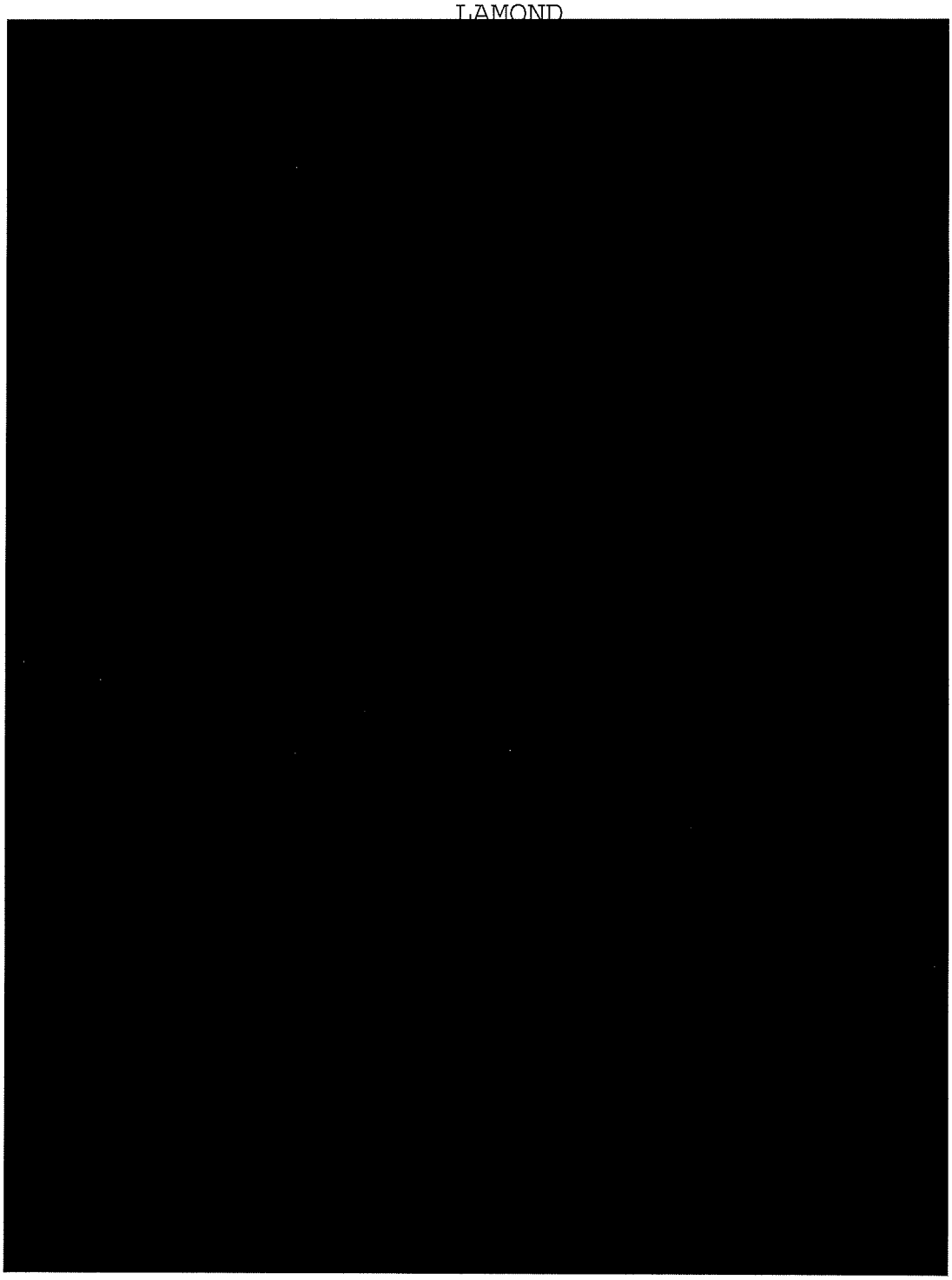
BY MS. CUNHA:



Q. Taking a look at what's been marked as Exhibit 22, do you recognize that document?

A. It's an e-mail from me to my partners on how much money we made.





Q. Do you know if Artis sold the shares that it received in the transaction or did it hold onto them?